

Dale J. Giali (SBN 150382)  
HOWREY LLP  
4 Park Plaza, Suite 1700  
Irvine, CA 92614  
Telephone: (949) 721-6900  
Facsimile: (949) 266-5529  
[gialid@howrey.com](mailto:gialid@howrey.com)

John G. Froemming, Esq. (*pro hac vice* application to be submitted)  
Michael J. Bell, Esq. (*pro hac vice* application to be submitted)  
HOWREY LLP  
1299 Pennsylvania Avenue, N.W.  
Washington, D.C. 20004  
Telephone: (202) 783-0800  
Facsimile: (202) 383-6610

Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

BMW of North America, LLC and  
Bayerische Motoren Werke AG,

Plaintiffs,

v.

Bluestar Wheels, Inc.,

Defendant.

Case No: 08 CV 0940 W LSP

**FIRST AMENDED COMPLAINT  
FOR TRADEMARK AND  
DESIGN PATENT  
INFRINGEMENT AND UNFAIR  
COMPETITION; DEMAND FOR  
JURY TRIAL**

Plaintiffs BMW of North America, LLC and Bayerische Motoren Werke AG (collectively "BMW") seek injunctive and monetary relief from Defendant Bluestar Wheels, Inc. (hereinafter, "Bluestar" or "Defendant") for trademark and design patent infringement and unfair competition. As alleged more fully below, Defendant has violated and continues to violate the Trademark Act of 1946 as amended, 15 U.S.C. §§ 1051 *et seq.* (the "Lanham Act"), and California law through its unauthorized use of the "BMW" word mark in connection with the sale of wheel rims that are not

1 made or authorized by BMW, and the Patent Act, 35 U.S.C. § 271, through its sale of wheel rims that  
2 infringe Plaintiffs' design patents.

### 3 PARTIES

4 1. Plaintiff BMW of North America, LLC ("BMW NA") is a Delaware limited liability  
5 company with its principal place of business at 300 Chestnut Ridge Road, Woodcliff Lake, New Jersey  
6 07677. BMW NA is a wholly owned subsidiary of BMW (US) Holding Corporation, a Delaware  
7 corporation, which is a wholly owned subsidiary of Bayerische Motoren Werke AG. BMW NA is the  
8 exclusive authorized distributor of BMW automotive and related products in the United States.

9 2. Plaintiff Bayerische Motoren Werke AG ("BMW AG") is a corporation organized  
10 under the laws of the Federal Republic of Germany with its principal place of business at 80788  
11 Munich, Germany. BMW AG manufactures motor vehicles, parts and other products for sale in  
12 Germany and for export and sale throughout the world.

13 3. Upon information and belief, Defendant Bluestar Wheels, Inc. is a California  
14 corporation with its principal place of business at 215 S. Highway 101, Suite 201, San Diego, CA  
15 92121.

### 16 JURISDICTION AND VENUE

17 4. This is an action arising under the patent and trademark laws of the United States,  
18 specifically Titles 35 and 15 of the United States Code, 35 U.S.C. § 271 and 15 U.S.C. § 1051, *et seq.*

19 5. This Court has personal jurisdiction over Defendant because Defendant resides in and  
20 conducts business in California.

21 6. This Court has jurisdiction over the subject matter of this action under 15 U.S.C. § 1121  
22 and 28 U.S.C. §§ 1331 and 1338(a) and 1338(b), and has supplemental jurisdiction under 28 U.S.C. §  
23 1367(a) over BMW's claims under California law.

24 7. Venue is proper in this District under 28 U.S.C. § 1391(b), as Defendant has its  
25 principal place of business in this District and, upon information and belief, a substantial part of the  
26 events or omissions giving rise to the claims herein occurred and are occurring in this District.  
27  
28

**BMW'S PATENTED WHEEL DESIGNS AND REGISTERED "BMW" TRADEMARK**

8. BMW is one of the foremost manufacturers of automobiles and automobile-related products, including wheels and wheel rims, in the world.

9. BMW AG is the owner of various valid and lawfully issued United States Design Patents, including patents for designs of a vehicle wheel (U.S. Design Patent Nos. 560,152; 522,949; and 560,585) (collectively, the "BMW design patents").

10. BMW is in the business of designing, manufacturing, and distributing motor vehicles, wheel rims, and a variety of other products under various trademarks, including the word mark "BMW."

11. BMW NA, through itself and its predecessors-in-interest, has been the exclusive licensee and authorized user of the "BMW" word mark in the United States continuously since at least as early as 1949 in connection with the sale and service of motor vehicles and wheel rims.

12. Since long prior to the acts of the Defendant complained of herein, BMW has also used the "BMW" word mark in connection with its business of manufacturing, and distributing motor vehicles, wheel rims, and a variety of other products in the State of California.

13. BMW AG is the owner of the following U.S. Registrations for its "BMW" word mark:

<u>Mark</u>	<u>Reg. No.</u>	<u>Reg. Date</u>	<u>Class:</u> <u>Services/Goods</u>
"BMW"	611,710	September 6, 1955	Automobiles and motorcycles
"BMW"	1,164,922	August 11, 1981	Motor vehicle repair and maintenance services and dealership services
"BMW"	1,627,241	September 18, 1990	Clothing
"BMW"	2,816,178	February 24, 2004	Antifreeze, automobile paint, engine oils, vehicle parts and various other goods

**DEFENDANT'S WRONGFUL ACTIVITIES**

14. In approximately January of 2008, BMW discovered Defendant using BMW trademarks and engaging in the advertising and sale of numerous patented BMW wheel designs without authorization from BMW.

15. Defendant has been advertising that it offers "BMW wheels" bearing BMW's famous Roundel logo, and claiming that the alleged "BMW wheels" are manufactured in an original equipment plant, even though such wheel rims are not made or authorized by BMW and not manufactured in a BMW original equipment plant.

16. Defendant has been infringing BMW U.S. Design Patent No. 560,152 ("the '152 patent") by offering to sell and selling wheel rims that are covered by the '152 patent. A copy of BMW's U.S. Design Patent No. 560,152 and a printout from Defendant's online store showing this wheel rim style are attached hereto as Exhibit 1(A) and (B), respectively.

17. Defendant has been infringing BMW U.S. Design Patent No. 522,949 ("the '949 patent") by offering to sell and selling wheel rims that are covered by the '949 patent. A copy of BMW's U.S. Design Patent No. 522,949 and a printout from Defendant's online store showing this wheel rim style are attached hereto as Exhibit 2(A) and (B), respectively.

18. Defendant has been infringing BMW U.S. Design Patent No. 560,585 ("the '585 patent") by offering to sell and selling wheel rims that are covered by the '585 patent. A copy of BMW's U.S. Design Patent No. 560,585 and a printout from Defendant's online store showing this wheel rim style are attached hereto as Exhibit 3(A) and (B), respectively.

19. On March 6, 2008, BMW wrote Defendant putting it on notice of BMW's trademark and design patent rights, and requesting that Defendant cease and desist from its unauthorized commercial use of BMW's trademarks and design patented wheels.

20. Defendant responded on April 9, 2008 that it would "refrain from using the center cap bearing the BMW logo on their [i.e., Defendant's] wheels;" and that "where appropriate," Defendant "will advertise its wheels as 'wheels for use on BMW automobiles' or similar wording."



1           21.     Despite BMW's March 6 notice and Defendant's April 9 partial commitment, however,  
2 Defendant continued to offer wheels that are not made or authorized by BMW as "BMW wheels," to  
3 claim that Defendant's "BMW wheels" are manufactured in an original equipment plant even though  
4 Defendant's wheels are not manufactured in a BMW original equipment plant, and to advertise and sell  
5 wheel designs that are covered by BMW U.S. design patents.

6           22.     BMW filed its original Complaint against Defendant on May 28, 2008, and provided a  
7 copy of the same to Defendant on June 2, 2008.

8           23.     Despite the filing of this lawsuit, Defendant has continued to offer wheels that are not  
9 made or authorized by BMW as "BMW wheels," to claim that Defendant's "BMW wheels" are  
10 manufactured in an original equipment plant even though Defendant's wheels are not manufactured in  
11 a BMW original equipment plant, to claim that Defendant specializes in wheels "for BMW," to call  
12 itself "Bluestar BMW Wheels," and to advertise and sell wheel designs that are covered by BMW U.S.  
13 design patents.

14           24.     Defendant is not affiliated with or sponsored by BMW, and has never been authorized  
15 by BMW or any of its subsidiaries, affiliates or authorized agents to use BMW's mark in any form.

16           25.     Defendant's unauthorized use of the BMW mark is intended to divert persons to  
17 Defendant who are interested in the products and services of BMW and to trade off the goodwill of  
18 BMW's marks.

19           26.     Defendant's unauthorized use of BMW's marks in the manner described above:  
20

21           (a)     is likely to cause confusion, to cause mistake, and/or to deceive customers and  
22 potential customers of the parties, as to the origin, sponsorship, or approval of  
23 Defendant's products and services, or as to some affiliation, connection, or  
24 association of Defendant with BMW;

25           (b)     enables Defendant to trade on and receive the benefit of goodwill BMW built up  
26 at great labor and expense over many years, and to gain acceptance for  
27  
28

Defendant's products and services not solely on its own merits, but on the reputation and goodwill of BMW, its trade name and its products and services;

(c) unjustly enriches Defendants; and

(d) unlawfully removes from BMW the ability to control the nature and quality of products and services provided under the BMW mark and places the goodwill and valuable reputation of BMW in the hands of Defendant, over which BMW has no control.

27. Defendant's continued use of BMW's trademarks and offering of wheel designs that are covered by BMW U.S. design patents, despite BMW's March 6 cease-and-desist letter, Defendant's April 9 commitment, and BMW's May 28 lawsuit, constitute knowing and unauthorized commercial use of BMW trademarks, and willful infringement.

28. BMW has been damaged and continues to be damaged by Defendant's activities in the manner described above. Unless these acts of Defendant are restrained by this Court, they will continue to cause irreparable injury to BMW and to the public for which there is no adequate remedy at law.

**COUNT I**  
**FEDERAL TRADEMARK INFRINGEMENT**  
**(Lanham Act § 32, 15 U.S.C. § 1114(1))**

29. BMW realleges and incorporates the allegations set forth in paragraphs 1 through 28 herein.

30. Defendant's use of the "BMW" word mark in connection with the sale of wheel rims that are not made or authorized by BMW is likely to cause confusion, cause mistake, or deceive customers as to the source or sponsorship of Defendant's products and services.

31. The acts of Defendant complained of herein constitute use in commerce of reproductions, counterfeits, copies, or colorable imitations of BMW's federally registered "BMW" word mark in connection with the sale, offering for sale, distribution and advertising of goods and services in violation of 15 U.S.C. § 1114(1).

1           32. Defendant's acts complained of herein have been deliberate, willful, and intentional,  
2 with full knowledge and in conscious disregard of BMW's rights in its marks, and with intent to trade  
3 off BMW's vast goodwill in its marks.

4           33. As a result of the foregoing alleged actions of Defendant, BMW has been injured and  
5 damaged. Unless the foregoing alleged actions of Defendant are enjoined, BMW will continue to  
6 suffer injury and damage.

7  
8                                   **COUNT II**  
9                   **FEDERAL UNFAIR COMPETITION, FALSE DESIGNATION OF ORIGIN**  
                                  **(Lanham Act § 43(a), 15 U.S.C. § 1125)**

10           34. BMW realleges and incorporates the allegations set forth in paragraphs 1 through 33  
11 herein.

12           35. Defendant's unauthorized use of the "BMW" word mark, BMW's design patents, and  
13 Defendant's claim that its wheels "are manufactured in an original equipment plant," in connection  
14 with the sale of wheel rims that are not made or authorized by BMW, falsely indicates that Defendant  
15 and its products and services are connected with, sponsored by, affiliated with, or related to BMW.

16           36. Defendant's unauthorized use of the "BMW" word mark, BMW's design patents, and  
17 Defendant's claim that its wheels "are manufactured in an original equipment plant," has caused, and  
18 is likely to continue to cause confusion, mistake, and deception as to the source or sponsorship of  
19 Defendant and its products and services.

20           37. The acts of Defendant complained of herein constitute unfair competition, false  
21 designation of origin, and trade name infringement in violation of Section 43(a) of the Lanham Act, 15  
22 U.S.C. § 1125(a).

23           38. Defendant's acts complained of herein have been deliberate, willful, and intentional,  
24 with full knowledge and in conscious disregard of BMW's rights in its trademarks and design patent  
25 rights.

1           39. As a result of the foregoing alleged actions of Defendant, BMW has been injured and  
2 damaged. Unless the foregoing alleged actions of Defendant are enjoined, BMW will continue to  
3 suffer injury and damage.  
4

5                                   **COUNT III**  
6                                   **DESIGN PATENT INFRINGEMENT**  
7                                   **U.S. DESIGN PATENT NO. 560,152**  
8                                   **(35 U.S.C. §271)**

9           40. BMW realleges and incorporates the allegations set forth in paragraphs 1 through 39  
10 herein.

11           41. Defendant is infringing U.S. Design Patent No. 560,152 in violation of 35 U.S.C § 271  
12 by making, using, offering for sale and/or selling products that are covered by the '152 patent in the  
13 United States.

14           42. Defendant's acts complained of herein have been willful, deliberate and with conscious  
15 disregard of BMW's U.S. design patent rights.

16           43. As a result of Defendant's infringement, Plaintiffs have suffered and will continue to  
17 suffer damages. Upon information and belief, Defendant's infringement will persist unless enjoined  
18 by this Court.

19           44. The acts complained of herein constitute design patent infringement in violation of 35  
20 U.S.C. § 271.

21                                   **COUNT IV**  
22                                   **DESIGN PATENT INFRINGEMENT**  
23                                   **U.S. DESIGN PATENT NO. 522,949**  
24                                   **(35 U.S.C. §271)**

25           45. BMW realleges and incorporates the allegations set forth in paragraphs 1 through 44  
26 herein.  
27  
28

46. Defendant is infringing U.S. Design Patent No. 522,949 in violation of 35 U.S.C § 271 by making, using, offering for sale and/or selling products that are covered by the '949 patent in the United States.

47. Defendant's acts complained of herein have been willful, deliberate and with conscious disregard of BMW's U.S. design patent rights. .

48. As a result of Defendant's infringement, Plaintiffs have suffered and will continue to suffer damages. Upon information and belief, Defendant's infringement will persist unless enjoined by this Court.

49. The acts complained of herein constitute design patent infringement in violation of 35 U.S.C. § 271.

**COUNT V**  
**DESIGN PATENT INFRINGEMENT**  
**U.S. DESIGN PATENT NO. 560,585**  
**(35 U.S.C. §271)**

50. BMW realleges and incorporates the allegations set forth in paragraphs 1 through 49 herein.

51. Defendant is infringing U.S. Design Patent No. 560,585 in violation of 35 U.S.C § 271 by making, using, offering for sale and/or selling products that are covered by the '585 patent in the United States.

52. Defendant's acts complained of herein have been willful, deliberate and with conscious disregard of BMW's U.S. design patent rights.

53. As a result of Defendant's infringement, Plaintiffs have suffered and will continue to suffer damages. Upon information and belief, Defendant's infringement will persist unless enjoined by this Court.

54. The acts complained of herein constitute design patent infringement in violation of 35 U.S.C. § 271.

**COUNT VI**  
**UNFAIR COMPETITION**  
**(California Unfair Competition Statute,**  
**Cal. Bus. & Prof. Code § 17200 et seq.)**

55. BMW re-alleges and incorporates the allegations set forth in paragraphs 1 through 54 herein.

56. The acts of Defendant complained of herein constitute unlawful and unfair competition in violation of the California Unfair Competition Statute, Cal. Bus. & Prof. Code § 17200, as they are likely to deceive and mislead the public.

57. As a result of the foregoing alleged actions of Defendant, Defendant has been unjustly enriched and BMW has been injured and damaged. Unless the foregoing alleged actions of Defendant are enjoined, BMW will continue to suffer injury and damage.

**COUNT VII**  
**TRADEMARK INFRINGEMENT AND UNFAIR COMPETITION**  
**(Common Law of California)**

58. BMW re-alleges and incorporates the allegations set forth in paragraphs 1 through 57 herein.

59. The acts of Defendant complained of herein constitute trademark infringement and unfair competition in violation of the common law of California.

60. As a result of the foregoing alleged actions, Defendant has been unjustly enriched and BMW has been injured and damaged. Unless the foregoing alleged actions of Defendant are enjoined, BMW will continue to suffer injury and damage.

**PRAYER FOR RELIEF**

WHEREFORE, BMW prays that:

1. Defendant be adjudged liable as to the foregoing claims.
2. Defendant, its agents, servants, employees, and all others in active concert or participation with any of them, be permanently enjoined and restrained from:

- 1 (a) using the "BMW" word mark in a trademark sense, or any other name or mark  
2 that is confusingly similar to this mark, in connection with the sale of wheel  
3 rims that are not made or authorized by BMW, including using the "BMW"  
4 mark, rather than Defendant's own trademark, as or in the names of its  
5 products;
- 6 (b) manufacturing, importing, marketing, advertising, offering to sell and/or selling  
7 wheel rims that infringe upon BMW's U.S. Design Patent Nos. 560,152;  
8 522,949; and 560,585;
- 9 (c) claiming or otherwise suggesting that Defendant is an original equipment  
10 ("OE") manufacturer, supplier or distributor for BMW; and
- 11 (d) doing any other act or thing likely to confuse, mislead, or deceive others into  
12 believing that Defendant emanates from, or is connected with, sponsored or  
13 approved by, BMW or that any of Defendant's products are otherwise  
14 authorized by BMW.

15 3. Defendant, in accordance with Section 34(a) of the United States Trademark Act, 15  
16 U.S.C. § 1116(a), be required to file with the Court, and serve upon Plaintiffs, within thirty (30)  
17 days after the entry and service on Defendant of an injunction, a report in writing and under  
18 oath, setting forth in detail the manner and form in which Defendant has complied with the  
19 terms of such injunction.

20 4. Defendant be required to pay to BMW for its acts of trademark infringement and unfair  
21 competition:

- 22 (a) in accordance with Section 35(a) of the United States Trademark Act, 15 U.S.C.  
23 § 1117(a) and (b), an award of treble Plaintiffs' actual damages plus  
24 Defendant's profits resulting from Defendant's unauthorized use of the "BMW"  
25 trademark and BMW's design patents in connection with the sale of wheel rims  
26 that are not made or authorized by BMW, and Defendant's claim that such  
27 wheels "are manufactured in an original equipment plant";
- 28



- 1 (b) punitive damages for Defendant's acts of unfair competition in violation of state  
2 law;  
3 (c) BMW's attorneys' fees for this action; and  
4 (d) the Court award prejudgment interest and costs of this action.  
5 5. For Defendant's repeated, willful, and deliberate design patent infringement:  
6 (a) Defendant be held liable to the extent of its total profits from design patent  
7 infringement, but no less than \$250, pursuant to 35 U.S.C. § 289; and  
8 (b) the Court award BMW treble damages, pursuant to 35 U.S.C. § 284, and  
9 declare this case exceptional and award BMW its attorneys' fees pursuant to 35  
10 U.S.C. § 285.  
11 (c) the Court award prejudgment interest and costs of this action.  
12 6. BMW recover such other relief as the Court may deem appropriate.

13 Respectfully submitted,

14  
15 HOWREY LLP  
16 John G. Froemming  
17 Michael J. Bell  
18 Dale J. Giali

19 By 

Dale J. Giali

20 Dated: August 20, 2008

21 *Attorneys for Plaintiffs*  
22 BMW of North America, LLC  
23 and Bayerische Motoren Werke AG  
24  
25  
26  
27  
28

DEMAND FOR JURY TRIAL

Plaintiffs demand a jury trial as provided by Rule 38(a) of the Federal Rules of Civil Procedure.

Respectfully submitted,

HOWREY LLP  
John G. Froemming  
Michael J. Bell  
Dale J. Giali

By  \_\_\_\_\_  
Dale J. Giali

Dated: August 20, 2008

*Attorneys for Plaintiffs*  
BMW of North America, LLC  
and Bayerische Motoren Werke AG



US00D560152S

(12) **United States Design Patent** (10) Patent No.: **US D560,152 S**  
**Nordmann** (45) Date of Patent: **\*\* Jan. 22, 2008**

(54) **FRONT FACE OF A VEHICLE WHEEL**(75) Inventor: **Christoph Nordmann, Munich (DE)**(73) Assignee: **Bayerische Motoren Werke  
Aktiengesellschaft, Munich (DE)**(\*\*) Term: **14 Years**(21) Appl. No.: **29/244,831**(22) Filed: **Dec. 15, 2005**(30) **Foreign Application Priority Data**

Jun. 16, 2005 (DE) ..... 4 05 03 085

(51) LOC (8) Cl. .... **12-16**(52) U.S. Cl. .... **D12/211**(58) Field of Classification Search ..... **D12/204-213;**  
**301/37.101, 64.101, 65**

See application file for complete search history.

(56) **References Cited****U.S. PATENT DOCUMENTS**

D215.652 S \* 10/1969 Griffith ..... D12/211  
D407.057 S \* 3/1999 Goplen ..... D12/211  
D436.912 S \* 1/2001 Boyer ..... D12/211  
D480.674 S \* 10/2003 Lecher et al. .... D12/209  
D483.313 S \* 12/2003 Lenz ..... D12/209  
D500.470 S \* 1/2005 Rice ..... D12/211  
D503.917 S \* 4/2005 Kushantanto ..... D12/209

D505.903 S \* 6/2005 Nordmann ..... D12/209  
D507.225 S \* 7/2005 Velazco ..... D12/211  
D519.905 S \* 5/2006 Muzzarelli ..... D12/209  
D521.921 S \* 5/2006 Hueller ..... D12/209  
D525.928 S \* 8/2006 Pfeiffer ..... D12/209  
D527.325 S \* 8/2006 Nagashima ..... D12/209  
D529.429 S \* 10/2006 Hsu ..... D12/209  
D541.204 S \* 4/2007 Huet ..... D12/211  
D542.729 S \* 5/2007 Hieke ..... D12/211

**FOREIGN PATENT DOCUMENTS**

EM 000106513-0006 12/2004

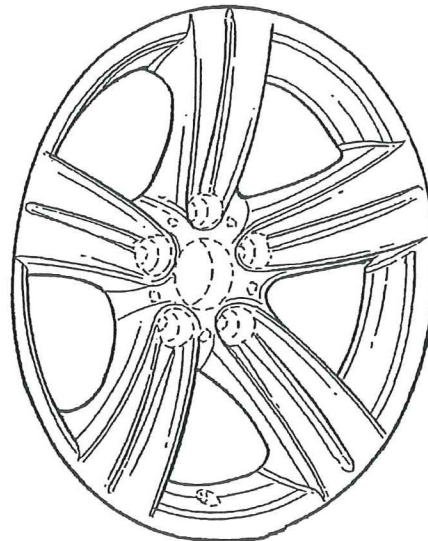
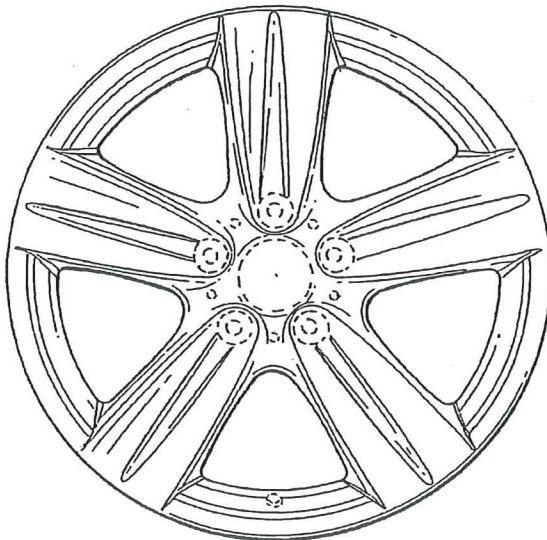
\* cited by examiner

Primary Examiner—Stacia Cadmus

(74) Attorney, Agent, or Firm—Crowell &amp; Moring LLP

(57) **CLAIM**The ornamental design for a front face of a vehicle wheel,  
as shown and described.**DESCRIPTION**FIG. 1 is a front view of a front face of a vehicle wheel  
according to my novel design; and,

FIG. 2 is a perspective view thereof.

The broken lines are for illustrative purposes only and form  
no part of the claimed design.**1 Claim, 1 Drawing Sheet**

U.S. Patent

Jan. 22, 2008

US D560,152 S

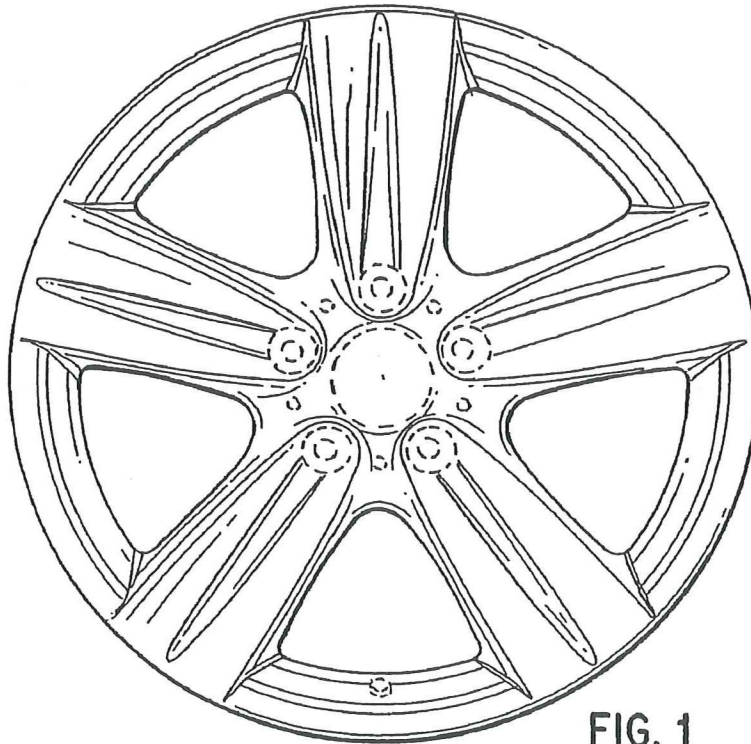


FIG. 1

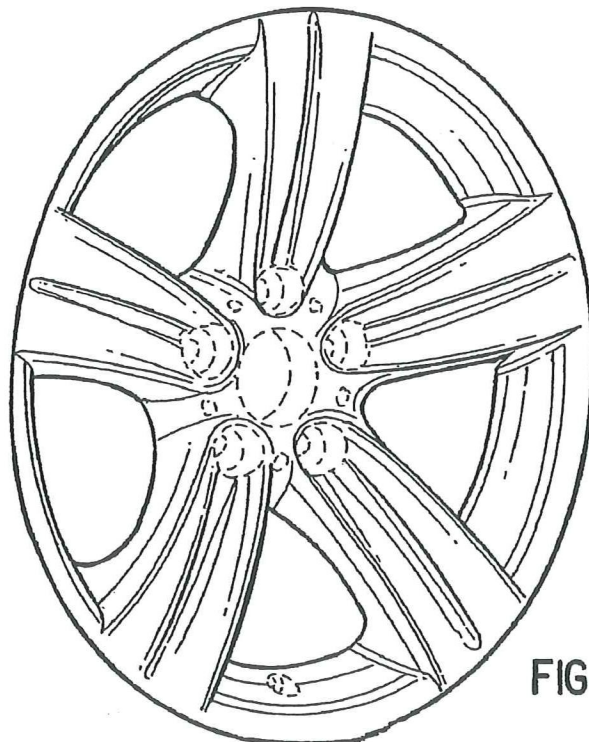


FIG. 2





Sign in or register

Buy Sell My eBay Research Help

eBay Home | Site Map

All of eBay Motors  Advanced Search

Cars &amp; Trucks Parts &amp; Accessories Motorcycles Powersports Boats Other Vehicles

[Back to list of items](#)

Listed in category: eBay Motors &gt; Parts &amp; Accessories &gt; Car &amp; Truck Parts &gt; Wheels, Tires &amp; Parts &gt; Wheels &gt; 18"

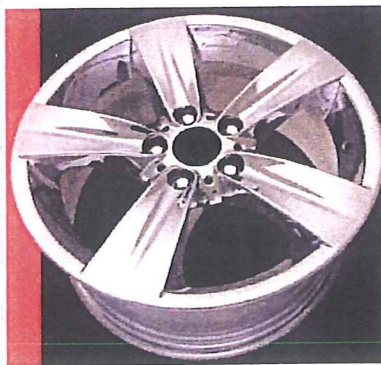
## 18 Chrome 5 Star Wheels Rims 3 5 6 7 8 X Z fits Bmw

sensation of sun shining off chrome wheels: priceless

Item number: 170218730878

Buyer or seller of this item? Sign in for your status

Watch this item in My eBay


[View larger picture](#)
**Buy It Now** price: **US \$599.00** Buy It Now
Get up to 6 months no payments  
Apply

End time:

**19 hours 15 mins**  
(May-15-08 08:56:32 PDT)

Shipping costs:

**US \$99.00**  
Standard Flat Rate Shipping Service  
Service to **United States**  
(more services)

Ships to:

United States, Canada

Item location:

San Diego, CA, United States

You can also:

[Watch This Item](#)
[Get SMS or IM alerts](#) | [Email to a friend](#)

### Meet the seller

 Seller: **blustarwheels** (411 ) **Power Seller**
Feedback: **100% Positive**

Member: since Jul-17-03 in United States

- See detailed feedback
- Ask seller a question
- Add to Favorite Sellers
- View seller's other items: [Store](#) | [List](#)
- Visit seller's Store: [Blustar Wheels](#)

### Buy safely

#### 1. Check the seller's reputation

Score: 411 | 100% Positive  
See detailed feedback

#### 2. Check how you're protected

**PayPal** Up to **\$2,000** in buyer protection. See eligibility

Listing and payment details: [Show](#)

## Description (revised)



Member of SquareTrade  
Bid with Confidence  
[Click to Learn Why](#)

SquareTrade © AP6.0



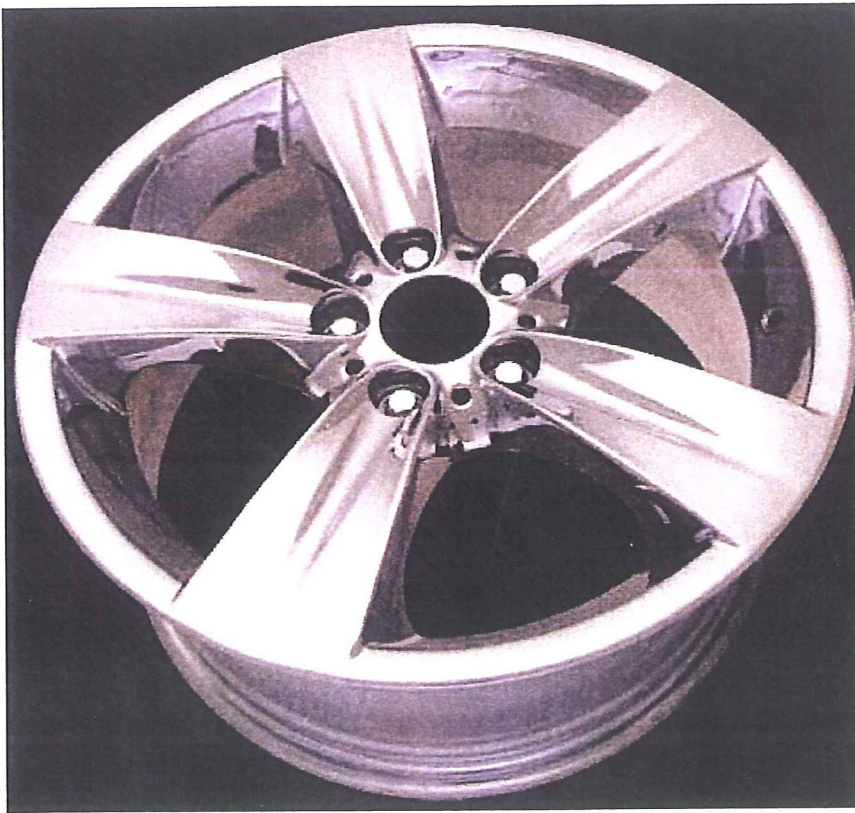
[3 series](#) | [5 series](#) | [6 series](#) | [7 series](#) | [M3](#) | [M5](#) | [X3](#) | [X5](#) | [Z3](#) | [Z4](#)

[home](#) | [about us](#) | [contact us](#) | [policies](#) | [bookmark our store](#)

## 18 Chrome 5 Star Wheels Rims 3 5 6 7 8 X Z fits

Roll mouse over pictures to





- Brand new complete set of 18 x 8" inch Chrome
- Includes centercaps.
- Fits 318 92-99 / 323 98-00 / 325 92-06 / 328 92-04 03-06 / M3 95-99 / 525 90-07 / 528 97-00 / 530 04-05 / 550 06-07 / M5 90-06 / 635 88-89 / 645 04 92 / 740 93-01 / 745 02-05 / 750 90-07 / 760 03-07
- Our wheels are manufactured in an original equipment They are DOT, JWL, VIA and TUV certified. We are the r affiliated with Bayerische Motoren Werke AG nor BMW o trademarked terms Bmw in our product descriptions are : fitment. Bluestar Wheels, Inc. asserts that the use of these nominative use and our products are not to be mistaken f
- Fitment and satisfaction guaranteed.

**(858) 444-6096**



**Bluestar**

**Take your luxury vehicle to the next**



### Calling all Drivers:

There is any number of wheels to choose from. But perhaps you're that one in 100 people who have dreams and desires to purchase wheels that are special-- wheels that are a true reflection of your personality and lifestyle. If that is you, then you should be talking to us.

Wait until you see what BlüStar wheels look like on your car. See what other owners have to say about us. How we take care and pride, down to the last wheel making detail. The effect is simply stunning. Uniquely Yours.

**Our wheels will give your vehicle an extreme makeover for very little investment.**

We've searched the world over for the most awesome, leading edge designs that say something about you. The feeling you'll get taking these wheels out of the box and placing them on your car is priceless, trust us.

We go to all lengths to make sure your wheels look and perform like they should... all the way from side impact to load bearing tests. BlüStar Wheels meet all DOT, VIA, JWL and TUV standards. Our factories are OEM (Original Equipment Manufacturer) top shelf quality... which means the precision, consistency, and manufacturing standards meet the same high expectations, quality control, and performance standards that the major American and German car companies trust with making their wheels.

**BlüStar will give you the same attentiveness and care as if we were buying these wheels for our own cars.**

Call our all-star service team, Beckie, Garrett, or George at 858-444-6096 for some of that "who are these people" friendliness and answers to your questions. Just like what you would desire from going locally in your neighborhood. But only better... fair on price, big on fitment knowledge, and a team who truly enjoys helping you. You will find we have a depth of knowledge and a passion for wheels that rivals any in the country. BlüStar exclusively sells to you, the enthusiast. It is that commitment to listening

and understanding your needs that will save you countless hours of frustration and confusion. We'll be delighted to listen to you... and then give freely of our experience. Email us with questions, and we will rapidly respond.

For your convenience, we have extended hours from 8am to 8PM Pacific Standard Time, seven days a week. Call 858-444-6096.

**See you on the road,**

The BlüStar Wheels Team

Payment	Shipping	Warranty & Returns	About Us
<ul style="list-style-type: none"> <li>• We take the normal plastic... Mastercard, Visa, Amex, and Discover within the USA and Canada.</li> <li>• We are Paypal friendly for USA, Canada and UK.</li> <li>• COD in the continental United States is an additional \$ 30. Have a cashier's check payable to <i>Blüstar</i> upon delivery.</li> <li>• Cashier's check or Money order sent to <i>Blüstar</i> in advance.</li> <li>• Outside USA and Canada, we request you send us a bank wire transfer. This can easily be accomplished at your local bank branch. Email us for instructions.</li> </ul>			



BlüStar Wheels©2007 Exclusive Design by PIXCLINIC

Powers Your Online Marketplace

kyzou  
Powered by





Find more items from the same seller. Bid or Buy Now!



19 8 9.5 Sil Stag CSL style Wheel Rim 3 x m z  
fits Bmw

[Buy It Now](#)

**US \$545.00**

Time left:

13h 15m



17 Chrome Wheels Rims 3 series z3 z4 x3 x5  
fits Bmw

[Buy It Now](#)

**US \$565.00**

Time left:

18h 15m



19 x 8/9 Radial Wheel Rim 3 5 7 m x z fits  
Bmw

[Buy It Now](#)

**US \$540.00**

Time left:

20h 15m

[Visit seller's Store](#)

### Shipping, payment details, and return policy

Ships to	
United States, Canada	
Shipping and Handling	
Country: <span>United States</span>	To
Shipping and Handling	United States
US \$99.00	Standard Flat Rate Shipping
Shipping insurance	
Not offered	

Payment methods accepted



- Money order/Cashiers check
- Other - See Payment Instructions for payment methods accepted
- Visa/MasterCard

Ready to Buy?

Item title: 18 Chrome 5 Star Wheels Rims 3 5 6 7 8 X Z fits Bmw

Buy It Now

~~Buy it~~ **Now** price: US \$599.00

Buy It Now

You will confirm in the next step.

[Help](#)

What else can you do?

[Back to list of items](#) | [Report this item](#) | [Printer Version](#) | [Sell one like this](#)

Seller assumes all responsibility for listing this item.

[About eBay](#) | [Community](#) | [Security Center](#) | [eBay Toolbar](#) | [Buyer Services](#) | [Policies](#) | [Government Relations](#) | [Site Map](#) | [Help](#)

© 1995-2008 eBay Inc. All Rights Reserved. eBay and the eBay logo are among the registered trademarks of eBay Inc. Kelley Blue Book® and Blue Book® are registered trademarks of Kelley Blue Book Co., Inc. Other trademarks and brands are the property of their respective owners. Some automotive images © eVox Productions LLC, all rights reserved. Use of this Web site constitutes acceptance of the eBay User Agreement and Privacy Policy.



US00D522949S

(12) **United States Design Patent** (10) Patent No.: **US D522,949 S**  
 Elmitt (45) Date of Patent: **\*\* Jun. 13, 2006**

(54) **FRONT FACE OF A VEHICLE WHEEL**(75) Inventor: **Karl John Elmitt, Echting (DE)**(73) Assignee: **Bayerische Motoren Werke  
 Aktiengesellschaft, Munich (DE)**(\*) Term: **14 Years**(21) Appl. No.: **29/222,220**(22) Filed: **Jan. 28, 2005**(30) **Foreign Application Priority Data**

Jul. 30, 2004 (DE) ..... 4 04 04 409

(51) LOC (8) Cl. .... 12-16

(52) U.S. Cl. .... D12/211

(58) Field of Classification Search ..... D12/204-213;  
 301/37.101, 64.101, 65  
 See application file for complete search history.(56) **References Cited****U.S. PATENT DOCUMENTS**D368,885 S \* 4/1996 Wagner ..... D12/209  
 D458,571 S \* 6/2002 Maifirini ..... D12/209

D480,343 S \* 10/2003 Oh ..... D12/209  
 D485,223 S \* 1/2004 Pfeiffer et al. .... D12/209  
 D486,437 S \* 2/2004 Hieke ..... D12/211  
 D486,770 S \* 2/2004 Pollmann ..... D12/209  
 D495,985 S \* 9/2004 Lai ..... D12/209  
 D500,277 S \* 12/2004 Kataoka ..... D12/209  
 D504,100 S \* 4/2005 Pollmann ..... D12/211

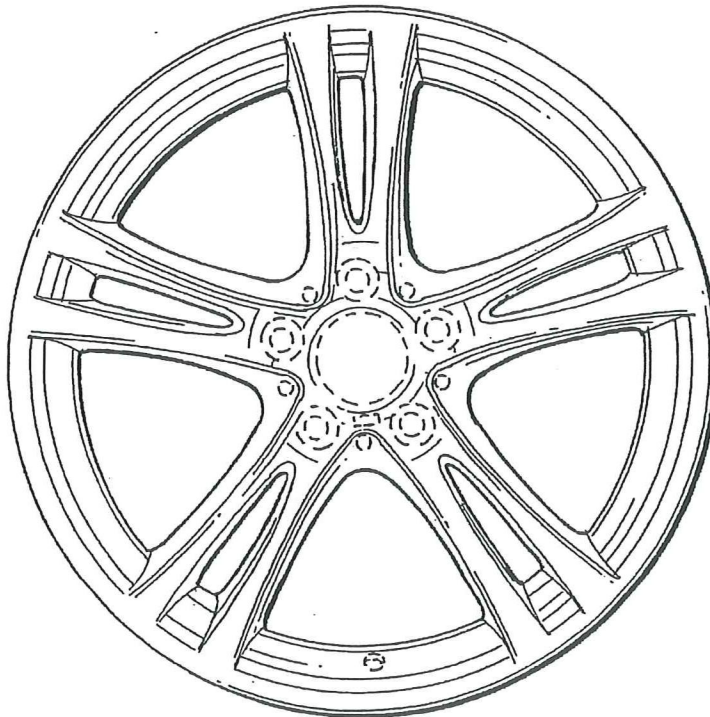
\* cited by examiner

Primary Examiner—Stacia Cadmus

(74) Attorney, Agent, or Firm—Crowell &amp; Moring LLP

(57) **CLAIM**The ornamental design for a front face of a vehicle wheel,  
 as shown and described.**DESCRIPTION**

FIG. 1 is a front view of a front face of a vehicle wheel  
 according to my novel design; and,  
 FIG. 2 is a perspective view of the front face of a vehicle  
 wheel according to my novel design.  
 The broken lines are for illustrative purposes only and form  
 no part of the claimed design.

**1 Claim, 1 Drawing Sheet**



U.S. Patent

Jun. 13, 2006

US D522,949 S

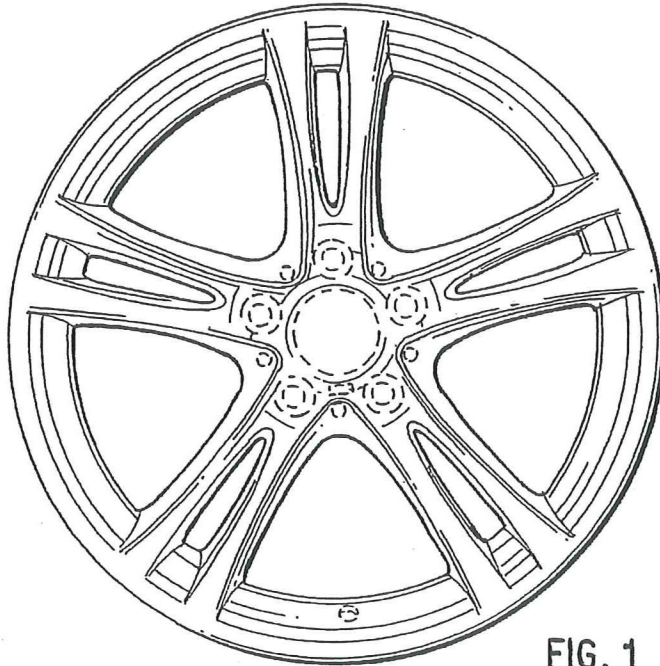


FIG. 1

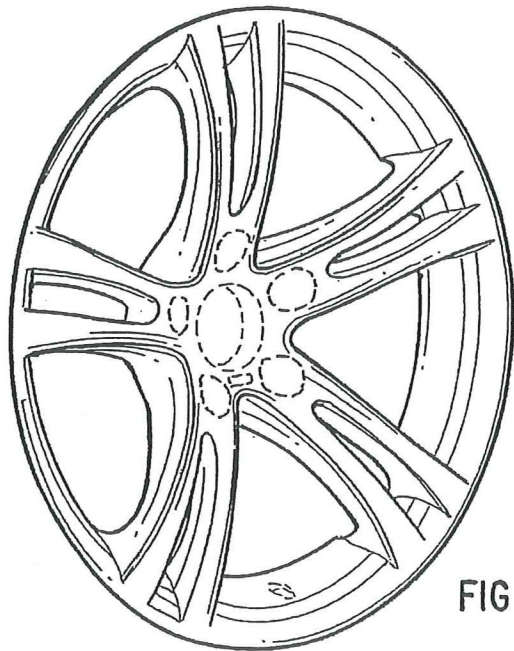
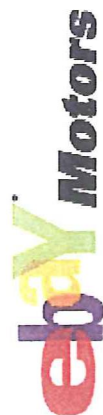


FIG. 2





Sign in or register

Buy Sell My eBay Research Help

eBay Home | Site Map

Advanced Search

All of eBay Motors

Cars &amp; Trucks Parts &amp; Accessories Motorcycles Powersports Boats Other Vehicles



Listed in category: eBay Motors &gt; Parts &amp; Accessories &gt; Car &amp; Truck Parts &gt; Wheels, Tires &amp; Parts &gt; Wheels &gt; 18"

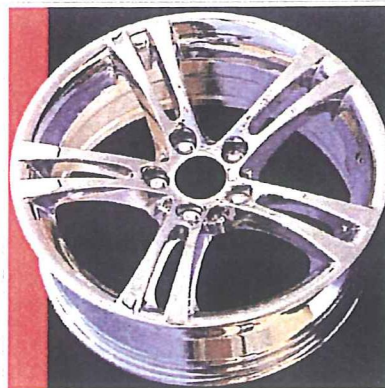
**18 Chrome Dbl Spoke Wheels Rims 5 6 7 8 Series fits Bmw**

Because there's nothing like a summer spin on chrome.

Buyer or seller of this item? Sign in for your status

Item number: 170218770621

Watch this item in My eBay



View larger picture

**Buy Now**price: **US \$597.00**

Buy It Now

Get up to 6 months no payments  
Apply

End time:

**21 hours 14 mins**  
(May-15-08 10:56:39 PDT)

Shipping costs:

**US \$99.00**  
Standard Flat Rate Shipping Service  
Service to **United States**  
(more services)

Ships to:

United States, Canada

Item location:

San Diego, CA, United States

You can also:

Watch This Item

Get SMS or IM alerts | Email to a  
friend**Meet the seller**

Seller:

**blustarwheels** ( 411 ★ ) **Power Seller**Feedback: **100% Positive**

Member: since Jul-17-03 in United States

- See detailed feedback
- Ask seller a question
- Add to Favorite Sellers
- View seller's other items: [Store](#) | [List](#)
- Visit seller's Store: [Blustar Wheels](#)

**Buy safely****1. Check the seller's reputation**Score: 411 | 100% Positive  
See detailed feedback**2. Check how you're protected****PayPal** Up to \$2,000 in buyer  
protection. See eligibility

Listing and payment details: [Show](#)

## Description (revised)



Member of SquareTrade  
Bid with Confidence  
[Click to Learn Why](#)

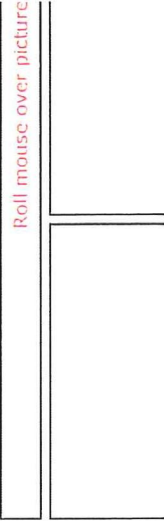
SquareTrade © AP6.0



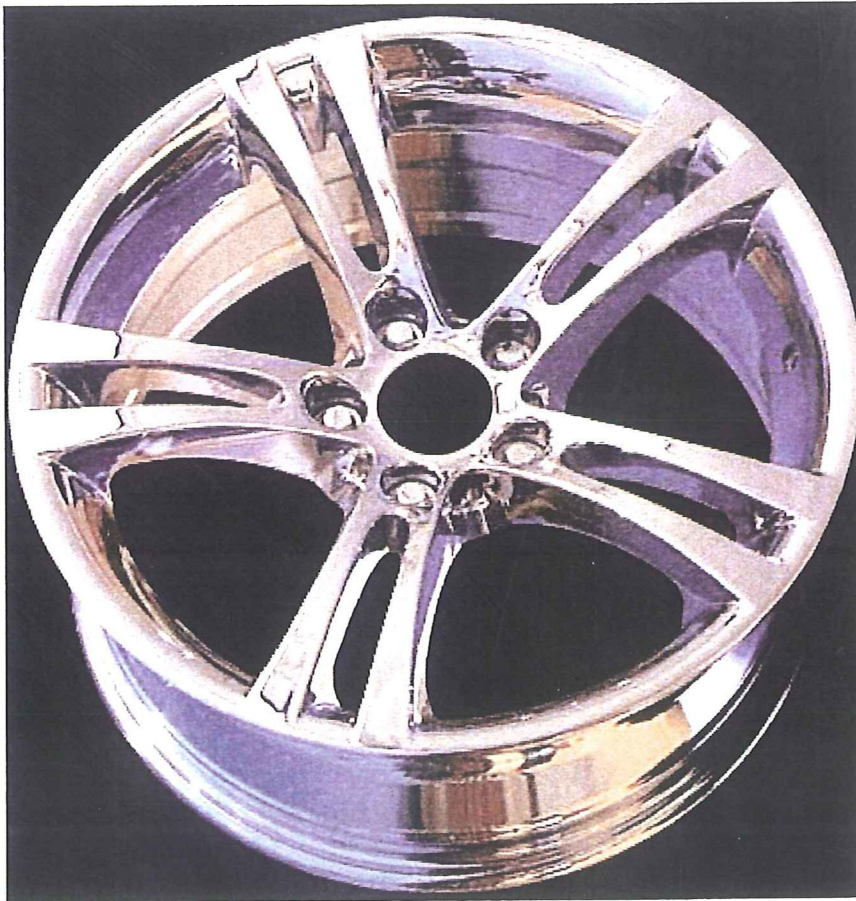
[3 series](#) | [5 series](#) | [6 series](#) | [7 series](#) | [M3](#) | [M5](#) | [X3](#) | [X5](#) | [Z3](#) | [Z4](#)

[home](#) [about us](#) [contact us](#) [policies](#) [bookmark our store](#)

## 18 Chrome Dbl Spoke Wheels Rims 5 6 7 8 Series







- Brand new complete set of 18 x 8" chrome
- Includes centercaps.
- Fits 525 90-07 / 528 97-00 / 530 93-07 / 545 05 / 550 06-07 / M5 90-06 / 635 88-89 / 645 88-92 / 740 93-01 / 745 02-05 / 750 90-07 / ...
- Our wheels are manufactured in an original equipment standards. They are DOT, JWL, VIA and TUV certified. Wheels, Inc. is not affiliated with Bayerische Motor America. The minimal use of the trademarked term solely to specify fitment. Bluestar Wheels, Inc. assumes fair use and nominative use and our products are
- Fitment and satisfaction guaranteed.
- Call us anytime at

**(858) 444-6096**



Take your luxury vehicle to the next

### Calling all Drivers:

There is any number of wheels to choose from. But perhaps you're that one in 100 people who have dreams and desires to purchase wheels that are special-- wheels that are a true reflection of your personality and lifestyle. If that is you, then you should be talking to us.

Wait until you see what BlüStar wheels look like on your car. See what other owners have to say about us. How we take care and pride, down to the last wheel making detail. The effect is simply stunning. Uniquely Yours.

**Our wheels will give your vehicle an extreme makeover for very little investment.**

We've searched the world over for the most awesome, leading edge designs that say something about you. The feeling you'll get taking these wheels out of the box and placing them on your car is priceless, trust us.

We go to all lengths to make sure your wheels look and perform like they should... all the way from side impact to load bearing tests. BlüStar Wheels meet all DOT, VIA, JWL and TUV standards. Our factories are OEM (Original Equipment Manufacturer) top shelf quality... which means the precision, consistency, and manufacturing standards meet the same high expectations, quality control, and performance standards that the major American and German car companies trust with making their wheels.

**BlüStar will give you the same attentiveness and care as if we were buying these wheels for our own cars.**

Call our all-star service team, Beckie, Garrett, or George at 858-444-6096 for some of that "who are these people" friendliness and answers to your questions. Just like what you would desire from going locally in your neighborhood. But only better... fair on price, big on fitment knowledge, and a team who truly enjoys helping you. You will find we have a depth of knowledge and a passion for wheels that rivals any in the country. BlüStar exclusively sells to you, the enthusiast. It is that commitment to listening



and understanding your needs that will save you countless hours of frustration and confusion. We'll be delighted to listen to you... and then give freely of our experience. Email us with questions, and we will rapidly respond.

For your convenience, we have extended hours from 8am to 8PM Pacific Standard Time, seven days a week. Call 858-444-6096.

**See you on the road,**

The BlüStar Wheels Team

Payment	Shipping	Warranty & Returns	About Us
<ul style="list-style-type: none"><li>• We take the normal plastic... Mastercard, Visa, Amex, and Discover within the USA and Canada.</li><li>• We are Paypal friendly for USA, Canada and UK.</li><li>• COD in the continental United States is an additional \$ 30. Have a cashier's check payable to <i>Blüstar</i> upon delivery.</li><li>• Cashier's check or Money order sent to <i>Blüstar</i> in advance.</li><li>• Outside USA and Canada, we request you send us a bank wire transfer. This can easily be accomplished at your local bank branch. Email us for instructions.</li></ul>			



Blüstar Wheels©2007 Exclusive Design by PIXCLINIC



Find more items from the same seller. Bid or Buy Now!

19 8 9.5 Sil Stag CSL style Wheel Rim 3 x m z  
fits Bmw~~Buy it Now~~**US \$545.00**

Time left:

13h 13m

17 Chrome Wheels Rims 3 series z3 z4 x3 x5  
fits Bmw~~Buy it Now~~**US \$565.00**

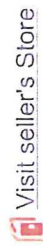
Time left:

18h 14m

19 x 8/9 Radial Wheel Rim 3 5 7 m x z fits  
Bmw~~Buy it Now~~**US \$540.00**

Time left:

20h 14m



## Shipping, payment details, and return policy

Ships to

United States, Canada

Shipping and Handling

Country: United States

Shipping and Handling

US \$99.00

To

United States

Service

Standard Flat Rate Shipping

Shipping insurance

Not offered



#### Payment methods accepted



- Money order/Cashiers check
- Other - See Payment Instructions for payment methods accepted
- Visa/MasterCard

#### Ready to Buy?

Item title: 18 Chrome Dbl Spoke Wheels Rims 5 6 7 8 Series fits Bmw

Buy It Now

**Buy It Now price:** US \$597.00

Buy It Now

You will confirm in the next step.

[Help](#)

#### What else can you do?

[Back to list of items](#) | [Report this item](#) | [Printer Version](#) | [Sell one like this](#)

Seller assumes all responsibility for listing this item.

[About eBay](#) | [Community](#) | [Security Center](#) | [eBay Toolbar](#) | [Buyer Services](#) | [Policies](#) | [Government Relations](#) | [Site Map](#) | [Help](#)

© 1995-2008 eBay Inc. All Rights Reserved. eBay and the eBay logo are among the registered trademarks of eBay Inc. Kelley Blue Book® and Blue Book® are registered trademarks of Kelley Blue Book Co., Inc. Other trademarks and brands are the property of their respective owners. Some automotive images © eVox Productions LLC, all rights reserved. Use of this Web site constitutes acceptance of the eBay User Agreement and Privacy Policy.





US00D560585S

(12) **United States Design Patent** (10) Patent No.: **US D560,585 S**  
**Blasi** (45) Date of Patent: **\*\* Jan. 29, 2008**

(54) **FRONT FACE OF A VEHICLE WHEEL**

(75) Inventor: **Juliane Blasi, Munich (DE)**

(73) Assignee: **Bayerische Motoren Werke Aktiengesellschaft, Munich (DE)**

(\*\*) Term: **14 Years**

(21) Appl. No.: **29/270,363**

(22) Filed: **Dec. 21, 2006**

(30) **Foreign Application Priority Data**

Jun. 22, 2006 (DE) ..... 40603373

(51) **LOC (8) Cl.** ..... **12-16**

(52) **U.S. Cl.** ..... **D12/209**

(58) **Field of Classification Search** ..... **D12/204-213;**  
**301/37.101, 64.101, 65, 64.201**

See application file for complete search history.

(56) **References Cited**

**U.S. PATENT DOCUMENTS**

D410,617 S \* 6/1999 Hussaini et al. .... D12/209  
D412,480 S \* 8/1999 Hussaini et al. .... D12/209  
D419,942 S \* 2/2000 Lampkin  
D451,461 S \* 12/2001 Arellano ..... D12/209

D460,396 S \* 7/2002 Kember et al. .... D12/209  
D466,467 S \* 12/2002 Hodges ..... D12/211  
D474,439 S \* 5/2003 McMath ..... D12/209  
D491,124 S \* 6/2004 Rice  
D496,318 S \* 9/2004 Cheng ..... D12/209  
D512,007 S \* 11/2005 Sze ..... D12/209  
D523,800 S \* 6/2006 Sulahian ..... D12/209  
D532,736 S \* 11/2006 Ettensberger ..... D12/209  
D533,495 S \* 12/2006 Arora ..... D12/209  
D539,720 S \* 4/2007 Loocho ..... D12/209

\* cited by examiner

*Primary Examiner*—Stacia Cadmus

(74) *Attorney, Agent, or Firm*—Crowell & Moring LLP

(57) **CLAIM**

The ornamental design for a front face of a vehicle wheel, as shown and described.

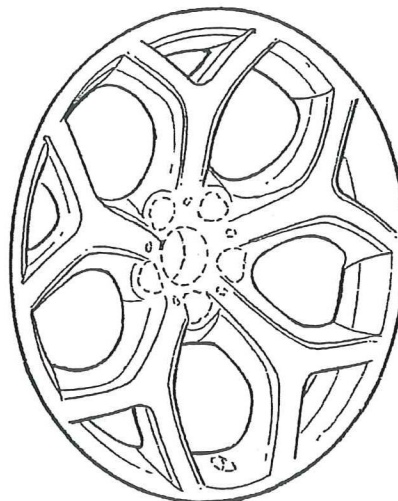
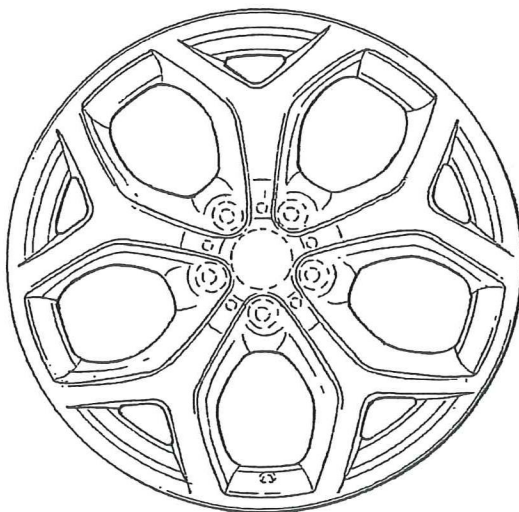
**DESCRIPTION**

FIG. 1 is a front view of a front face of a vehicle wheel according to my novel design; and,

FIG. 2 is a perspective view thereof.

The broken lines are for illustrative purposes only and form no part of the claimed design.

**1 Claim, 1 Drawing Sheet**



U.S. Patent

Jan. 29, 2008

US D560,585 S

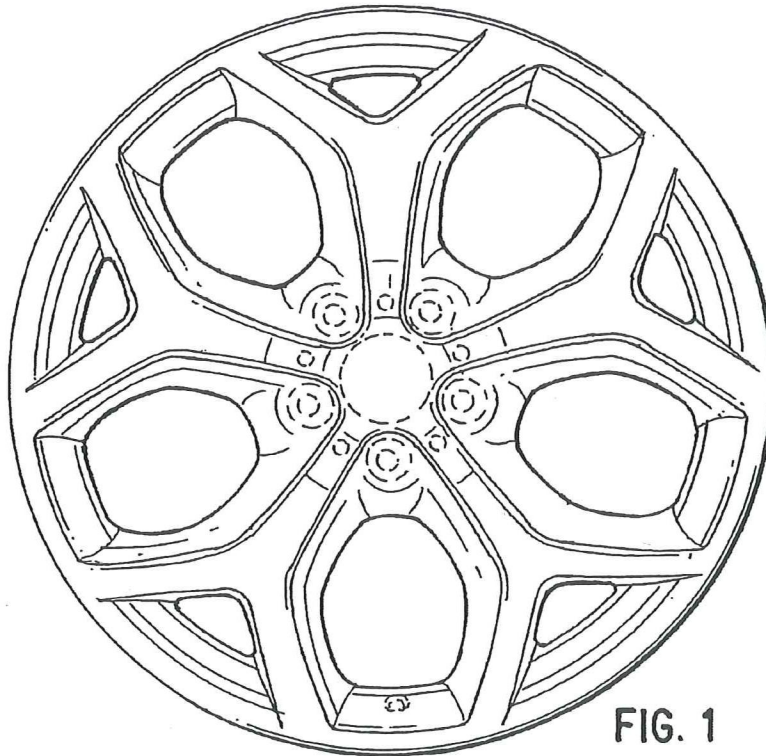


FIG. 1

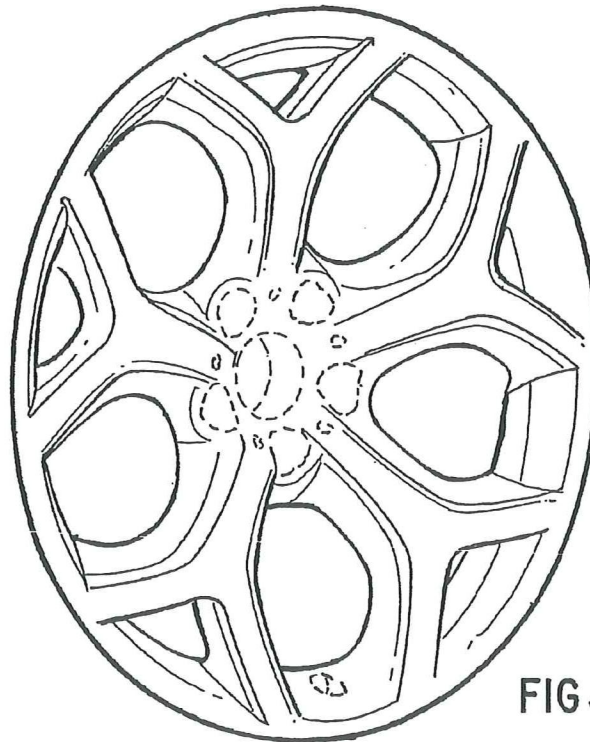


FIG. 2



Sign in or register

Buy Sell My eBay Research Help

eBay Home | Site Map

All of eBay Motors  Advanced Search

Cars &amp; Trucks Parts &amp; Accessories Motorcycles Powersports Boats Other Vehicles



Listed in category: eBay Motors &gt; Parts &amp; Accessories &gt; Car &amp; Truck Parts &gt; Wheels, Tires &amp; Parts &gt; Wheels &gt; 20" or more

## 20 9.5/10.5 Chrome X5 X3 Staggered Wheels Rims fits Bmw

FITS \*\*ALL\*\* X5s 2000-2008 and X3. It's chrome season.

Item number: 170218794168

Buyer or seller of this item? Sign in for your status

Watch this item in My eBay



View larger picture

~~Buy it Now~~ price: **US \$789.00** Buy it NowGet up to 6 months no payments  
ApplyEnd time: **22 hours 14 mins**  
(May-15-08 11:57:13 PDT)Shipping costs: **US \$149.00**  
Standard Flat Rate Shipping Service  
Service to **United States**  
(more services)Ships to: United States, Canada  
Item location: Solana Beach California, United StatesYou can also: Watch This Item  
Get SMS or IM alerts | Email to a

### Meet the seller

Seller: **blustarwheels** ( 411 ★ ) **Power Seller**Feedback: **100% Positive**

Member: since Jul-17-03 in United States

- See detailed feedback
- Ask seller a question
- Add to Favorite Sellers
- View seller's other items: [Store](#) | [List](#)
- Visit seller's Store: **Blustar Wheels**

### Buy safely

1. Check the seller's reputation  
Score: 411 | 100% Positive  
See detailed feedback
2. Check how you're protected  
**PayPal** Up to \$2,000 in buyer protection. See eligibility



friend

Listing and payment details: [Show](#)**Item Specifics**

Title:	20 9.5/10.5 Chrome X5 X3 Staggered Wheels Rims fits Bmw			
Condition:	New			
Rim Information				
Brand:	--	Number of Bolts:	5	Material:
Width:	9.5J	Bolt Pattern:	5 x 4.72 or 5 x 120	Structure:
Diameter:	20 inches	Offset:	45	Part Number (MPN)

**Description (revised)**

May 14, 2008

eBay User ID:  
blustarwheels

Member of SquareTrade  
 Bid with Confidence  
[Click to Learn Why](#)

SquareTrade © AP6.0

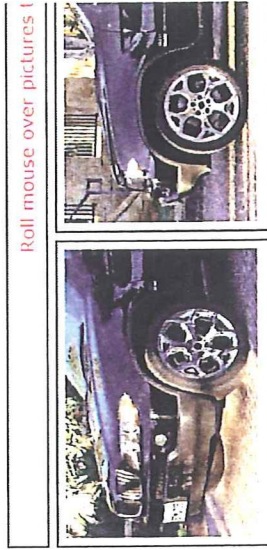




3 series | 5 series | 6 series | 7 series | M3 | M5 | X3 | X5 | Z3 | Z4

[home](#) [about us](#) [contact us](#) [policies](#) [bookmark our store](#)

## 20 9.5/10.5 Chrome X5 X3 Staggered Wheels Rims



- Brand new complete set of 20" x 9.5/10.5" Ct
- Includes centercaps.
- Fits all X5 00-07 / X3 04-08 models.
- Our wheels are manufactured in an original equipment standards. They are DOT, JWL, VIA and TUV certified.
- The minimal use of the trademarked terms Bmw in our specify fitment. Bluestar Wheels, Inc. asserts that the nominative use and our products are not to be mistaken.
- Fitment and satisfaction guaranteed. Call us :